

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson also invited the public to address the Commission at any point during the meeting. He also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published February 28, 2007 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held March 6, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, March 6, 2007:

C-3744 Commission Hearing Room, Lincoln.
1:30 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the statewide Telecommunications Relay System to be effective July 1, 2007, in the state of Nebraska. Commissioner Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission that 66 complaints were received in February 2007. She reported that 46 were wireline and 20 wireless. The complaints were categorized as follows: 41 billing, 18 service and 7 miscellaneous issues.

Gene Hand introduced Susan Horn, the new Administrative Assistant in the Communications Department.

C-3665 In the Matter of Yestel USA, Inc., Lomita, California, seeking authority to operate as a resale carrier of intra-state interexchange telecommunication services within the State of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3757/
DC-74 In the Matter of the Commission, on its own motion, regarding the 2006 Annual Report Filings: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order opening a docket. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand reported on Nebraska Public Power District's (NPPD) initial meeting for community and county leaders to discuss the Electric Transmission Reliability project for East-Central Nebraska. Commissioners were provided with copies of the newsletter and brochure NPPD has developed to share project information with the public.

Gene Hand reported on the National Association of Regulatory Utility Commissioner's (NARUC) Winter Meeting held in Washington, D.C. from February 18 to 21, 2007.

WC 06-55 In the Matter of Time Warner Cable, Lincoln, seeking a Declaratory Ruling that Competitive Local Exchange Carriers may obtain interconnection under section 251 of the Communications Act of 1934, as amended, to provide wholesale telecommunications services to VoIP providers: Gene Hand reported on the Federal Communication Commission (FCC) Memorandum Opinion and Order released March 1, 2007.

Gene Hand informed the Commission that Consolidated Telephone Company is hosting an informational meeting at the Legion Hall in Curtis between 6:00 and 8:00 p.m. on March 14, 2007.

The Commissioners were provided copies of the March 1, 2007, letter from Gary Warren, President of Services Corporation for Hamilton Telecommunications, containing further documentation in support of Hamilton's request to renew the existing Telecommunication Relay Service contract.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-019/ In the Matter of the Commission, on its own motion, seeking
PI-118 to implement provisions of LB 1222 [2006] and to establish
a permanent funding mechanism for wireless enhanced 911
service. Commissioner Boyle presiding as Hearing Officer: Jeff
Pursley reported that the workshop scheduled for April 16, 2007 has
been rescheduled for April 30, 2007 at 9:00 a.m. in the Atrium
Conference Center, Room #206, 1200 N Street, Lincoln.

Jeff Pursley informed the Commission that the February 26, 2007 E911 Advisory Board Meeting that was canceled due to inclement weather was rescheduled for March 23, 2007 at 10:00 a.m. in the Commission Library, Lincoln.

NUSF-64 In the Matter of the Commission, on its own motion, seeking
to investigate the use of expense caps in the earnings
calculation for Nebraska universal service fund support. Commissioner
Boyle presiding as Hearing Officer: Motion made by Commissioner Anne
Boyle, seconded by Commissioner Frank Landis, to enter an order
seeking comments, due on or before April 6, 2007. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley discussed the draft letter to Chairman Kevin Martin at the Federal Communications Commission (FCC) regarding universal service support of non-rural carriers in high cost areas. Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to forward the letter to Chairman Martin at the FCC supporting non-rural carriers. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks (Aquila), Omaha, seeking individual general rate increases for Aquila's Rate Area One, Rate Area Two and Rate Area Three. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter Assessment Order GDS-001. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. Laura Demman reported that an order was entered by the Hearing Officer on February 28, 2007, to amend the procedural schedule and schedule a prehearing conference for April 18, 2007, at 10:00 a.m. in the Commission Library, Lincoln.

Laura Demman reported on and led discussion with the Commissioners regarding a total number of 52 consumer complaints and inquiries received at the Commission during the month of February, 2007. Totals for each company were as follows: Aquila - 36 (25 opposing rate increase); Kinder Morgan - 10 (6 verifying rate increase); NorthWestern - 4; and 2 referred to other entities.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 7, Transmission Lines Rules and #169 Regulations, to adopt the 2007 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order opening the docket and seeking public comment. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LEGISLATIVE REPORT

Nichole Underhill reported on the status of legislation affecting the Commission.

TRANSPORTATION DEPARTMENT

B-1696 In the Matter of Todd Freisen, d/b/a Your Own Limousine, Grand Island, seeking to acquire, through transfer, the authority granted to Central Limousine, Grand Island, in Certificate B-1659. Commissioner Johnson presiding as Hearing Officer: A hearing was scheduled for March 15, 2007, at 1:30 p.m. in the Commission Library, Lincoln, Nebraska State Office Building, 1313 Farnam, Room 207, Omaha, and College Park, Conference Room C, 3180 West Highway 34, Grand Island.

B-1697 In the Matter of R & F Hobbies, Inc., d/b/a Aquila Limo Service, Ravenna, seeking to acquire, through transfer, the authority held by R & F Hobbies, Inc., Ravenna, in Certificate B-1441, Supplement 3. Commissioner Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting temporary operating authority. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MCC-3159 In the Matter of Mark Breiner, Director, Motor Transportation Department vs. A-1 Transportation, LLC, Prince & Princess Limousine Service, Top Star Services, LLC, Choice Medical Transportation, Miracle Movers, Inc., Nebraskaland Moving & Storage and Transfer 88. Commissioner Schram presiding as Hearing Officer: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order to show cause and schedule a hearing for April 3, 2007, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

M-14131 In the Matter of Mark Breiner, Director, Motor Transportation Department vs. S & B Enterprises, d/b/a Apartment Movers of Omaha. Commissioner Boyle presiding as Hearing Officer: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, to enter an order to show cause and schedule a hearing for April 3, 2007, at 1:45 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

B-1683 In the Matter of CUSA ES L.L.C., Bismarck, North Dakota, seeking a Petition for Declaratory Ruling regarding the transportation of railroad train crews: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order dismissing the Petition for Declaratory Ruling. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

DR-0001 In the Matter of a Petition for Declaratory Ruling regarding the transportation of railroad train crews: Mark Breiner reported on the petition for Declaratory Ruling filed by CUSA ES L.L.C., Bismarck, North Dakota.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

MR-1009/ In the Matter of the Commission, on its own motion, con-
PI-70 cerning Tariffs 7F and 22: A hearing was scheduled for
April 3, 2007 at 2:30 p.m. in the Commission Hearing Room,
Lincoln. Commissioner Johnson was appointed Hearing Officer.

LR-277 In the Matter of Leisure Limousine and Sedan Service,
Lincoln, seeking authority to set rates and charges on an
emergency basis: Motion made by Commissioner Frank Landis, seconded
by Commissioner Tim Schram, to enter an order granting the application
on an emergency basis. Motion passed with Commissioners Anne Boyle,
Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska
Motor Carriers Association, Lincoln, seeking authority to
establish a fuel surcharge in Nebraska Official Household Goods Tariff
7-F: the fuel surcharge was increased to 62 cents per mile.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by
Commissioner Anne Boyle, to approve the following Commission invoices.
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE.

Dell	\$	564.30
Robert Hotz		6,250.00
Anne Boyle		582.00
Frank Landis		581.53
Tim Schram		395.76
Tim Schram		79.71

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Associated Hearing Health	\$	454.15
Beltone		1,101.20
Dynavox Systems		1,000.00
Grand Island Hearing Aid		187.00
Harris Communications		401.85
Hearing Aid Center of Columbus		809.85
Hearing Aid Specialists Inc		194.95
K-D Communications		825.85
League of Human Dignity		1,003.75
McCook Pharmacy & Medical		551.00
Teltex		445.80
The Hearing Clinic Inc		440.00

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to authorize Mark Luttich to travel to and attend the National Fire Protection Association (NFPA) Technical Committee Meeting on Recreational Vehicles to be held in Albuquerque, New Mexico from April 2 through 5, 2007, with all expenses to be paid from the recreational vehicle program. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to schedule the second quarter 2007 Commission meeting dates, as follows. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

April: 3, 10, 17, 25 (Wed.)
May: 1, 8, 15, 23 (Wed.), 30 (9:00/Wed.)
June: 5, 12, 19, 26

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the staff recommendation on the proposed lease agreement. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to authorize opening a Law Clerk position. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to accept the notice of resignation of a Nebraska Telephone Infrastructure and Public Safety department employee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve the staff recommendation to open the position of Policy Analyst in the Nebraska Telephone Infrastructure and Public Safety department. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to accept the staff proposal for a salary adjustment of a Grain Warehouse department employee. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

The meeting adjourned at 10:49 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on March 13, 2007, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on March 12, 2007.

Chairman

Executive Director